



VIRGINIA BOARD OF EDUCATION

AGENDA ITEM

Agenda Item: Y

Date: April 25, 2024

Title: First Review of Board of Education Recommendations on Establishing Standards for School Facilities Pursuant to SB 1124

Presenters: Kent Dickey, Deputy Superintendent of Operations
Vijay Ramnarain, Director, Office of Support Services

Purpose of Presentation

Action required by state or federal law or regulation.

Executive Summary

The 2023 General Assembly passed Senate Bill 1124 (“SB 1124”) requiring the Board of Education (“Board”) to make recommendations to the General Assembly for amendments to the Standards of Quality establishing standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings. This legislation also requires the inclusion of standards for the percentage of the current replacement value of a public school building that a school board should budget for the maintenance and operations of the building as well as other standards as the Board deems appropriate. To develop these recommendations, the Board is required to solicit the input of relevant stakeholders including the public. The Board’s final recommendations are to be submitted to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by July 1, 2024.

In response to SB 1124, the Virginia Department of Education (“VDOE”) established a workgroup in Fall 2023 to seek input from various stakeholders in the development of recommendations on school facilities standards. VDOE staff held multiple workgroup meetings between Fall 2023 and Winter 2024 to obtain input and feedback from the workgroup members on potential recommendations. Attachment 1 is the product of the workgroup process, and contains background, recommendations for school facilities standards, and rationale. The various standards recommendations in Attachment 1 affect the planning and design, construction and renovation, and maintenance and operation of public school facilities

and impact parents and students, school staff, school divisions and local school boards, local governments and their communities, and the school facilities business sector.

This item is aligned with Priority 5 of the Board’s *Comprehensive Plan 2024–2029*: to advance safe and healthy schools.

Action Requested

Action will be requested at a future meeting. Specify anticipated date below:
Final Review anticipated at the June 2024 business meeting.

Superintendent’s Recommendation

The Superintendent of Public Instruction recommends that the Board accept for First Review the attached *Board of Education Recommendations on Establishing Standards for School Facilities Pursuant to SB 1124*.

Previous Review or Action

No previous review or action.

Background Information and Statutory Authority

The 2023 General Assembly passed SB 1124 as uncodified “Section 1” legislation requiring the Board of Education to make recommendations to the General Assembly for amendments to the Standards of Quality establishing standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings, as follows:

§ 1. The Board of Education (the Board) shall make recommendations to the General Assembly for amendments to the Standards of Quality to establish standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings. Such recommendations shall include standards for the percentage of the current replacement value of a public school building that a school board should budget for the maintenance and operations of the building and such other standards as the Board deems appropriate. In developing such recommendations, the Board shall solicit the input of relevant stakeholders and the public. The Board shall submit its recommendations to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than July 1, 2024.

The 2020 General Assembly established the Commission on School Construction and Modernization in §§ 30-384 through 390, *Code of Virginia*, through July 1, 2026. The Commission held several meetings during 2021 and 2022 where it heard presentations and considered issues pertaining to public school facilities in Virginia, including the age and

condition of buildings, funding mechanisms for school facilities, facilities standards, and legislative recommendations. SB 1124 aligns to several of the topics and issues considered by the Commission.

The stakeholder workgroup established to inform development of the standards recommendations was guided by several principles, including:

- School facilities standards should promote cost effective, healthy, safe, and secure learning environments that support high quality instructional delivery and student services;
- Prioritize the most important elements as statewide standards;
- Are actionable by school divisions, not cost prohibitive, and consider local cost impact;
- Balance mandatory and “best practice” aspirational/optional standards;
- Are phased-in over time or have delayed effective dates when deemed necessary; and,
- Consider the existing VDOE school facilities guidelines as a baseline standard to help operationalize any new standards that may be adopted.

These principles were considered by the workgroup as it discussed and vetted ideas for school facilities standards.

The school facilities standards recommendations in Attachment 1 will assist school divisions in developing local best practices for the operation and maintenance, planning and design, and construction and renovation of school buildings, with the goal to provide cost effective, healthy, safe, and secure learning environments that support quality instructional delivery, student support services, and student and staff wellbeing. An additional goal of the standards recommendations is to maximize the impact of local and state funding investments in local school facilities and to maximize facility longevity.

As required in the SB 1124 legislation, the workgroup recommends as a best practice the inclusion of a percentage of the current cost replacement value of school facilities as an aspirational funding goal that may be included in the annual school board budget process as local fiscal conditions and resource availability allow. Other elements of the recommendations include elements such as:

- community planning and stakeholder involvement
- operational and energy cost efficiency, including considering student enrollment trends/patterns and school consolidation
- long-term planning best practices such as master school facilities plan to inform funding the local Capital Improvement Plan for schools
- design and build to facilitate instructional best practices

- seek service or cost sharing arrangements to reduce costs
- minimize negative community impacts from construction/renovation
- design and build for shared community use and as multi-purpose facilities
- conduct periodic facilities assessments as a planning and budgeting strategy

Stakeholder Engagement

As required in SB 1124, to seek input from relevant stakeholders, VDOE staff established a workgroup comprised of various stakeholders with an interest in and knowledge of school facilities issues. Department staff on the workgroup included the Chief of Staff, Deputy Superintendent of Operations, Assistant Superintendent of Policy and Government Relations, and the Director of Support Services.

External stakeholder members of the workgroup included representatives from the following organizations:

- Office of the Secretary of Education
- Virginia School Plant Managers Association
- Virginia School Boards Association
- Virginia Association of Counties
- Virginia Municipal League
- Virginia Association of School Business Officials
- Virginia Association of Elementary School Principals
- Virginia Association of Secondary School Principals
- Virginia Association of School Superintendents
- Association for Learning Environments
- National Council on School Facilities
- Virginia PTA
- Department of General Services
- American Institute of Architects - Virginia Chapter

The six stakeholder workgroup meetings were led by the Chief of Staff and the Deputy Superintendent of Operations. The dates and topics of the workgroup meetings were as follows:

- October 4, 2023 - Organizational Meeting
- November 8, 2023 - Discussion/Feedback on Standards for Building Planning and Design
- December 13, 2023 - Discussion/Feedback on Standards for Construction/Renovation
- January 3, 2024 - Discussion/Feedback on Standards for Post-Construction Operations and Maintenance

- February 14, 2024 - Discuss/Feedback on Draft Recommendations
- March 13, 2024 - Receive Final Workgroup Input on Recommendations for Consideration by Board of Education
- March 19, 2024 - Latest Working Draft Recommendations Document Circulated to Workgroup Members for Final Comment/Feedback

Implementation and Communication

After approval of the Board's recommendations on Final Review and submission of the final recommendations to the General Assembly by the July 1 deadline, VDOE will monitor any requests for additional information or follow-up from the General Assembly. Staff will monitor any potential legislation that may be proposed to the 2025 General Assembly in response to the Board's recommendations or related legislation that may be adopted at the 2025 Session. The adoption of any such legislation may require changes to the VDOE's *Guidelines for School Facilities in Virginia's Public Schools* to conform to the legislation. School divisions will be informed of any formal proposals or action proposed by the Board or the General Assembly related to standards for school facilities through the VDOE weekly newsletter and regularly scheduled meetings with division superintendents.

Impact on Fiscal and Human Resources

It's anticipated that the VDOE can absorb the fiscal and staff impacts of supporting the development of recommendations on standards for school facilities. Depending on future Board or General Assembly action in this area, there may be an impact on local school division resources. Any such impact is unknown currently.